

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In Re:

Chapter 11

Sunnymeade Leasing, LLC,

Case No. 110-43362-608

Debtor.

Application

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Above All Store Fronts, Inc. ("Above All") and O'Brien Dry Wall Unlimited ("O'Brien"), creditors of the above-referenced Debtor, by their attorneys, Weinberg, Gross & Pergament LLP, as and for their application represent as follows:

1. On or about April 19, 2010, the Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code.

2. This application is submitted in support of Above All's and O'Brien's request for an entry of an order authorizing the Rule 2004 Examinations of Sunnymeade Leasing, LLC and Sperry Associates Federal Credit Union.

3. Above All and O'Brien provided substantial work, labor and materials with respect to the real property on which the Debtor's shopping center is located and are owed the sum of \$204,000.00 and \$120,653.00 respectively for services rendered. The Debtor's counsel acknowledged in Court that the Debtor has no objection to the claims.

4. The purpose of the examinations and issuance of the subpoenas is to obtain documents to determine whether there were violations of §3A of the Lien Law of the State of New York and/or violation of the fiduciary duty of the Debtor and/or secured creditor Sperry Associates Federal Credit Union, which is owed in excess of \$6,000,000.00.

5. Thus, I am requesting authorization for this Court to issue Subpoenas to Sunnymeade Leasing, LLC and Sperry Associates Federal Credit Union, pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure.

6. The documents and examinations are needed to determined whether the borrowed funds were properly disbursed and whether Sperry Federal has a valid fist lien. The documents requested from the witnesses are identified in the Schedules annexed hereto as Exhibit "A."

7. I request that this Court grant the application and authorize the service of the subpoenas via certified mail.

8. It is also requested that this Court waive the requirement of the filing of a memorandum of law as no novel issue of law is presented with respect to the issues herein.

9. No prior application has been made to this or any other Court for the relief requested herein.

WHEREFORE, it is respectfully requested that this Honorable Court grant the Trustee's application in its entirety and such other and further relief as this Court deems just and proper.

Dated: Garden City, New York
January 10, 2011



Marc A. Pergament